

# UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF INDIANA

[This form is for prisoners to sue for civil rights violations. NEATLY print in ink (or type) your answers.]

**FILED**  
 JUN 01 2021  
 At ROBERT N. TRGOVICH, Clerk  
 U.S. DISTRICT COURT  
 NORTHERN DISTRICT OF INDIANA

Gary Allan Lindsey SR  
 [You are the **PLAINTIFF**, print your full name on this line.]

v.

Randy Rodriguez  
 [The **DEFENDANT** is who you are suing. Put ONE name on this line. List ALL defendants below, including this one.]

Case Number 3:21-cv-396  
 [For a new case in this court, leave blank.  
 The court will assign a case number.]

[The top of this page is the caption. Everything you file in this case must have the same caption. Once you know your case number, it is VERY IMPORTANT that you include it on everything you send to the court for this case. DO NOT send more than one copy of anything to the court.]

## PRISONER COMPLAINT

#	Defendant's Name and Job Title	Work Address
1	[Put the defendant named in the caption in this box.] <u>Randy, Rodriguez</u>	<u>Eastland Police Dept.</u> <u>200 Independence Dr</u> <u>South, Bend, IN 46637</u>
2	[Put the names of any other defendants in these boxes.] <u>Terry, Beck</u>	<u>Eastland Police Dept.</u> <u>200 Independence Dr</u> <u>South, Bend, IN 46637</u>
3		

[If you are suing more defendants, attach an additional page. Number each defendant. Put the name, job title, and work address of each defendant in a separate box as shown here.]

- How many defendants are you suing? 2
- What is the name and address of your prison or jail? INDIANA STATE PRISON  
\*1 PARK ROW MICHIGAN CITY, IN 46360
- Did the event you are suing about happen there? ☐ Yes. ☒ No, it happened at: LUK-Flower Church 54191 Ironwood Rd South Bend IN 4637
- On what date did this event occur? February 21, 2019

[DO NOT write in the margins or on the back of any pages. Attach additional pages if necessary.]

## CLAIMS and FACTS

DO: Write a short and plain statement telling what each defendant did wrong.

DO: Use simple English words and sentences.

**DO NOT:** Quote from cases or statutes, use legal terms, or make legal arguments.

DO: Explain when, where, why, and how each defendant violated your rights.

DO: Include every fact necessary to explain your case and describe your injuries or damages.

DO: Number any documents you attach and refer to them by number in your complaint.

**DO NOT:** Include social security numbers, dates of birth, or the names of minors.

DO: Use each defendant's name every time you refer to that defendant.

DO: Number your paragraphs. [The first paragraph has been numbered for you.]

1. I Gary Allan Lindsay was pulled over at Little Flower Church 54191 Ironwood Rd. South Bend Indiana 46631 on February 21, 2019 at 4:10 PM. By Terry, Beck and Randy, Rodriguez. (2) When I was doing (PBT) portable breath test. The test was not finished or did it beep. Before officer Terry Beck pulled it away from Gary Lindsay's mouth. (3) Then Terry Beck starts to put Gary Lindsay into hand cuffs. I Gary Lindsay turn after one hand is cuffed and ask Terry Beck, why am I being arrested? (4) Then I see officer Randy Rodriguez running at me full tilt with head down. I Gary Lindsay spin around and as I am falling to ground I say I don't want any smoke. This is all on camera. Terry Beck, and officer Randy Rodriguez hold Gary Lindsay down and cuff him on camera. (5) Then both officers Cpl. Rodriguez and Cpl. Beck take Gary Lindsay with in hand cuffs off camera and hold him down one holds him down with knee on back and on back of neck. Just how that Black man died. Then beat Gary Lindsay for over 10 mins. while Gary Lindsay was handcuffed and off camera. The case was thrown out of court on Jan-25, 2021 Because I have a witness who saw them beat me.



Claims and Facts (continued)

OFF CAMERA. ⑥ The witness will testify about what she  
 seen, I Gary Allan Lindsay was Beat By Terry Beck and  
 Officer Randy Rodriguez, OFF CAMERA on February 21, 2019,  
 at Little Flower Church. ⑦ I Gary Allan Lindsay was then  
 taken to Memorial Hospital for injuries. ⑧ I Gary Allan-  
 Lindsay had the case's thrown out of court on Jan 25, 2021  
 because I had and do have a witnesses to Cpl Terry Beck  
 and Cpl Randy Rodriguez using excessive force and  
 beating me while in handcuffs. After, I Gary Lindsay was  
 taken off camera. ⑨ I Gary Lindsay had and still have  
 injuries. ⑩ I Gary Allan Lindsay can and will prove everything  
 I said is true in court. ⑪ I Gary Allan Lindsay was beaten  
 then falsely charged by the Peasland Police in South Bend  
 Indiana. This is not the first time they have done this.  
 They also, same cops beat my brother Shane Lindsay.  
 ⑫ Then cut blood out of his pants. His case was also  
 dismissed. ⑬ I Gary Allan Lindsay want something don't  
 admit this, I am sick of being beat up then thrown  
 in jail for it it is wrong. These officers need to  
 be held accountable for the wrong things they do, and when  
 they break the law. THANK YOU

⑭

I HAVE LEFT EYE TRAUMA, NERVE DAMAGE IN HANDS FROM  
 BEING BEAT IN HAND CUFFS, HYPO EXTENDED KNEE RIGHT  
 KNEE. BOTH EYES WERE SWOLLEN SHUT, BUSTED OPEN MOUTH,  
 I HAVE PICTURES OF ALL THIS AS WELL.

5. When did this event happen?

- ☒ Before I was confined.  
☐ While I was confined awaiting trial.  
☐ After I was convicted while confined serving the sentence.  
☐ Other: \_\_\_\_\_

6. Have you ever sued anyone for this exact same event?

- ☒ No.  
☐ Yes, attached is a copy of the final judgment OR an additional sheet listing the court, case number, file date, judgment date, and result of the previous case(s).

7. Could you have used a prison grievance system to complain about this event?

- ☒ No, this event is not grievable at this prison or jail.  
☐ Yes, I filed a grievance and attached is a copy of the response from the final step.  
☐ Yes, this event was grievable, but I did not file a grievance because \_\_\_\_\_

8. If you win this case, what do you want the court to order the defendant(s) to do?

[NOTE: A case filed on this form will not overturn your conviction or change your release date.]

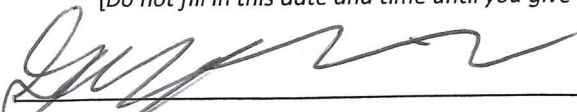
PAY ME FOR INJURYS, AS WELL AS MENTAL STRESS  
 AND SUFFERING, PAY ME MONEY FOR KEEPING ME  
 LOCKED UP FOR ALL THIS TIME.

[Initial Each Statement]

- GL I will pre-pay the filing fee OR file a prisoner motion to proceed in forma pauperis.  
GL I will keep a copy of this complaint for my records.  
GL I will promptly notify the court of any change of address.  
GL I WILL NOT send more than one copy of any filing to the court.  
GL I WILL NOT send summons, USM-285, or waiver forms to the clerk.  
GL I declare **under penalty of perjury** that the statements in this complaint are true.

I placed this complaint in the prison mail system on 5/20/2021 at 7:00 am/pm.

[Do not fill in this date and time until you give the complaint to prison officials to send to the court.]

  
 Signature

112457

Prisoner Number

[DO NOT write in the margins or on the back of any pages. Attach additional pages if necessary.]